



Republican Policy Committee

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Congress' Common-Sense Agenda Obstructed

Clinton's 'Dog-in-the-Manger' Strategy

A Dog asleep in a manger filled with hay was awakened by the Cattle, which came in tired and hungry from working in the field. But the Dog would not let them get near the manger, and snarled and snapped as if it were filled with the best of meat and bones, all for himself.

The Cattle looked at the Dog in disgust. "How selfish he is!" said one. "He cannot eat the hay and yet he will not let us eat it who are so hungry for it!"

Now the farmer came in. When he saw how the Dog was acting, he seized a stick and drove him out of the stable with many a blow for his selfish behavior.

Moral: *Do not deprive others of what you cannot use yourself.*

(from Aesop's Fables)

As President Clinton abundantly demonstrated during his State of the Union address last week, he has absolutely no program for governing this country. All he can do, in cynical contrast to his record of the past three years, is to steal rhetorical themes from his Congressional opposition. While *telling* the American people he is for smaller government, lower taxes, and less regulation, he has *consistently obstructed genuine initiatives from the Congress to accomplish these goals.*

The record is clear. According to the *Congressional Monitor* (January 8, 1996, page 5), the "first session of the 104th Congress was the busiest in terms of floor action in the last 20 years." During 1995, the Senate conducted 613 roll call votes — the third-highest total for a single session in that chamber's history. The Senate was in session 211 days, the largest number since such records began to be kept in 1947. The Senate was in session five Saturdays and three Sundays. The House set similar records. Moreover, these records were set by a Congress determined to address the tough issues: *balancing the budget by the year 2002, slowing the growth of entitlement program spending, and providing tax relief to America's families, which will get the economy moving again.*

In the face of this Herculean effort, what has been the President's response? An unprecedented, politically motivated campaign of delay and obstruction by President Clinton's allies on Capitol Hill. In his effort to thwart the new direction the American people chose in the 1994 election, he has even been willing to veto appropriation bills and defund large portions of

the federal government — and then blame the Congress for the resulting shutdown. A number of Congressional initiatives that *would have been enacted except for such efforts* are noted in this paper.

The Congress has shown it is ready and able to give the American people what they want. The President and his supporters are capable only of playing the proverbial Dog in the Manger: they themselves can't govern, and they don't want to let the Congress govern either. But the President should heed the outcome of the fable: the farmer, when he became aware of the Dog's behavior, drove him out so the deserving Cattle could get to the hay. In real life, the voters may not let the President's behavior go unpunished, and so may send him out on his ear into the cold, dark night.

Items the 104th Congress Would Have Enacted (But For an Obstructionist President and his Pals)

Constitutional Amendment to Require a Balanced Budget

Among the priorities for the 104th Congress was H.J.Res. 1, the proposed constitutional amendment to require a balanced budget. After decades of deficit spending, most Americans agree that we need a constitutional amendment to force the government to live within its means. This year, in the face of Clinton Administration opposition and the large majority of the President's Capitol Hill supporters, the Congress fell *just one vote short* of the two-thirds majority necessary under the Constitution to send the amendment to the states for ratification. The Majority Leader has promised Senators a second chance to vote on the balanced budget amendment, and a vote can be expected later this year.

Balanced Budget Act

President Clinton vetoed the Balanced Budget Act (H.R. 2491), which would have implemented Congress's promise to balance the federal budget by the year 2002. The Act would have reauthorized the Medicaid and Medicare programs, with major money-saving reforms, plus providing a *middle-class tax cut, Medicare solvency into the next generation*, and an *end to the marriage penalty* in the federal income tax. In addition, the vetoed bill included the *most significant reform in farm legislation in the last 60 years*, which would have replaced the current system of farm program payments with a system that gives farmers more planting flexibility and gradually declining market transition payments. A list of key features of H.R. 2491 are as follows:

- A balanced budget in the year 2002 and beyond
- Middle class tax relief in the form of a full and immediate \$500 per child tax credit
- Medicare solvency assurance to the next generation

- Medicaid reform (state flexibility and elimination of unfunded mandates)
- Reform of the failed "Great Society" welfare system
- Debt Limit increase
- Continuing Resolutions and appropriations bills (avoiding two government shutdowns)
- Earned Income Credit reform (stringent anti-fraud provisions)
- Extension of Superfund Taxes on business to keep the Cleanup Fund solvent
- Farm bill programs
- Small business tax relief:
 - increased health insurance deductibility for the self-employed
 - estate/death relief
 - increased expensing of equipment
 - pension simplification
- Marriage penalty relief
- Adoption tax credits
- Elderly dependent custodial care
- Deduction for student loan interest
- IRA expansion and innovation
- Investment and pro-growth incentives, such as capital gains tax reduction and indexing
- Long-term care insurance incentives
- Medical Savings Accounts
- Taxpayer Bill of Rights
- Corporate Tax Loophole closings
- Permanent Hyde-type language on Medicaid funding for abortions

Welfare Reform

The President must have felt like a pretzel in vetoing H.R. 4, the Work Opportunity Act of 1995, a bill that truly would have fulfilled the President's campaign promise to "end welfare as we know it." The bill that went to the President's desk was very close in substance to the Senate bill, which he in September promised to sign. Here's what Congress passed:

- Ended welfare's 60-year entitlement status
- Imposed a five-year lifetime limit on receiving welfare benefits
- Required welfare recipients to work for their benefits when "work ready" or two years, at the latest
- Reduced or terminating benefits for recipients who refuse to work
- Allowed states to withhold more money from welfare moms who have more children
- Required teenage unmarried mothers to stay at home and stay in school
- Consolidated dozens of Washington programs and dramatically reducing the welfare bureaucracy
- Required welfare recipients to establish paternity, and then getting tough on deadbeat dads who have failed to keep up with child support payments
- Guaranteed that noncitizens do not become wards of the state
- Saved taxpayers \$60 billion over seven years.

Comprehensive Regulatory Reform Bill

Along with out-of-control taxation, the most destructive feature of Big Government is the endless proliferation of regulations from a myriad of federal agencies. A major legislative initiative (S. 343), which would have imposed reasonable standards on the regulatory process, was unable to overcome a filibuster by advocates of perpetuating the burdensome government-knows-best regulation process. Specifically, these reforms would have:

- Improved the quality of the science upon which new regulations are developed
- Required that agencies try to find regulatory solutions that are the most cost-effective way of meeting the requirements in the underlying statute
- Improved the compliance of federal agencies with the Regulatory Flexibility Act which requires that agencies minimize regulatory burdens on small businesses
- Required federal agencies to systematically review their most burdensome regulations, and make changes or recommendations to Congress for amending statutes

Legal Reform/Product Liability Bill

Among the greatest restraints on productive activity in America today is the ever present fear of lawsuits brought with little or no justification, entailing massive lawyers' fees and the possibility of disproportionate financial penalties. A bill to reform the civil legal process as it applies to product liability and tort actions (H.R. 956) was the victim of a filibuster, despite five attempts to invoke cloture (i.e., cut off debate, which requires a 60-vote majority).

Constitutional Amendment to Protect the U.S. Flag

The Supreme Court has held that flag desecration statutes are unconstitutional, but most Americans, and most Senators and Representatives, believe that the United States flag deserves the protection of law. On December 12, 1995, a proposed constitutional amendment (S. J. Res. 31) to *allow* Congress to protect the flag *failed in the Senate by three votes*. Again, the Clinton Administration opposed the Amendment, and negative votes by his allies in the Congress defeated it — for now.

Foreign Relations Revitalization Act

A bill (S. 908) to make major reforms in the foreign policy bureaucracy was filibustered by supporters of the Clinton Administration. Among their main objections was a provision requiring abolition of three agencies — the *Agency for International Development* (which administers foreign aid programs), the *Arms Control and Disarmament Agency* (which deals with international agreements on weapons), and the *United States Information Agency* (which is the voice of the U.S. Government overseas) — and folding their functions into the Department of State. Eventually, compromise language was passed by the Senate that would provide a funding level expected to result in abolition of one or more of these agencies — but which does not *require* that any of them be abolished.

Foreign Aid Reduction Act

A bill (S. 961) to *reform American foreign aid and eliminate wasteful spending* was not able to overcome a filibuster supported by the Clinton Administration and the foreign aid bureaucracy.

Defense Authorization Act for Fiscal Year 1996

President Clinton has refused to allow Congress to rein in wasteful spending in virtually every area of the federal budget — but when it comes to the nations' security, *deep and damaging cuts are the order of the day*. The President vetoed the first Defense Authorization Conference Report (H.R. 1530) sent to him because it contained provisions for *defending the American people from missile attack, ensuring military readiness, and limiting the placing of U.S. forces under United Nations command*. As described below, these and other provisions were dropped or severely modified to finally convince President Clinton to authorize funding of the armed forces:

- A program to provide for the deployment of a national defense for the American people against weapons of mass destruction. (NOTE: This section was omitted from the revised DoD Authorization Conference Report to get President Clinton's signature, but Republicans intend to offer free-standing legislation on ballistic missile defense.)
- Required the President to submit a supplemental request for "contingency operations" that were not contained in the original budget request. (To protect readiness from being jeopardized by the costs of unexpected contingency operations, e.g., Bosnia, the DoD bill would have put a mechanism in place for the President to fund any contingency operation in excess of \$100 million. (NOTE: To get the President to sign the DoD bill, the Committee changed this language to Sense of Congress.)
- Required the President to certify that placing U.S. Armed Forces under United Nations operational or tactical control is in the U.S. national security interest. (This language was also omitted from the revised bill.)

Bosnia and Herzegovina Self-Defense Act

A bill (S. 21) to mandate the lifting of the arms embargo on Bosnia-Herzegovina passed both houses by a veto-proof margin. It was vetoed by President Clinton. However, the Dayton Accord, which included in it the lifting of the arms embargo, was reached before Congress acted to override.

Davis-Bacon Reform/Repeal Bills

Efforts to save taxpayers dollars due to inflated wage-scales on federal projects were thwarted by a successful filibuster of a bill (S. 440), *the National Highway System Designation Act*. The bill would have *saved taxpayers \$1 billion* by repealing the application of the New Deal-era Davis-Bacon Act of Federal-Aid Highway projects. Another bill killed by filibuster (S.

141) would have completely repealed Davis-Bacon, *saving taxpayers \$5 billion over seven years.*

Appropriation Bills for Fiscal Year 1996

A key element to the budget impasse that is often overlooked is that funding bills that would have kept large parts of the federal government running were in fact sent to President Clinton's desk — but he vetoed them. Other agencies were left unfunded due to filibuster efforts by the President's allies in Congress. These bills were those funding the *Departments of Justice (including the FBI and the Immigration and Naturalization Service), Commerce, State, Labor, Health and Human Services, Veterans Affairs, Housing and Urban Development, and Interior (including National Parks)*, plus a number of independent agencies. The affected bills, with some of the major features they included, are as follows:

- ***Commerce-State-Justice Appropriations, FY 96 (H.R. 2076) — Vetoed***

This bill would have:

- Replaced Clinton's "Cops on the Beat" program with a broader block grant
- Reduced funds for Legal Services Corporation
- Reduced Commerce Department Programs
- Abolished the Advanced Technologies Program in the Commerce Department
- Cut funding for international peacekeeping
- Cut funding for U.N. agencies

- ***Labor-HHS-Education Appropriations, FY 96 (H.R. 2127) — Filibustered***

This bill would have:

- Prevented the Clinton Administration from overturning 60 years of established labor-management law (striker replacement language)
- Doubled money for student loans, with no new costs to students or parents
- Put a cap on the direct lending program for student loans, and instead directing the DoEd to allow schools to choose between the direct and the guaranteed lending programs

- ***VA-HUD Appropriations, FY 96 (H.R. 2099) — Vetoed***

This bill would have:

- Provided \$1.16 billion for Superfund Cleanups
- Provided \$1.72 billion for Clean Water State Revolving Fund (for helping states with sewage plant upgrades)

- Provided \$400 million *more* than FY 1995 for Veteran Administration health infrastructure, despite a budget allocation to the VA/HUD appropriation subcommittee that was 12 percent below FY 1995 levels

- ***Interior Appropriations, FY 96, (H.R. 1977) — Vetoed***

This bill would have:

- Provided \$1.4 billion for the National Park System, *which would have kept the Washington Monument and the Grand Canyon open*

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